

BOARD OF ZONING ADJUSTMENT MINUTES
March 27, 2012

Regular meeting of the Clay County Board of Zoning Adjustment, Commission Hearing Room, 3rd Floor, County Administration Building, One Courthouse Square, Liberty, Missouri.

Call to Order

@ 5:30 pm: David Fulton, Chairman

Roll Call: Matthew Tapp, Director

Members Present: David Fulton, David Fricke, Brian Klopfenstein, and Vernon Reed

Members Absent: Mike Johnson

Staff Present: Matthew Tapp, Director
Debbie Viviano, Planner
Greg Canuteson, Assistant County Counselor

Mr. Fulton: Let us call the regular March 27, 2012, Clay County Board of Zoning Adjustment meeting to order. Matt, would you please call roll?

Mr. Tapp: We are short staffed this evening, Mr. Chairman, so we are doing some new duties that were not previously apart of our duties.

Mr. Tapp: Mike Johnson?

Mr. Johnson: No answer.

Mr. Tapp: Brian Klopfenstein?

Mr. Klopfenstein: Here.

Mr. Tapp: David Fricke?

Mr. Fricke: Here.

Mr. Tapp: David Fulton?

Mr. Fulton: Present.

Mr. Tapp: Vernon Reed?

Mr. Reed: Here.

Mr. Fulton: Thank you, Matt. At this time the first order of business, before swearing anyone in, we need to do a little administrative work. Since, this is our first meeting in 2012, at this time according to the ordinance elect a Chairman each year, so I will pass the gavel to Matt. I have asked him to preside as we elect a Chairman for 2012.

Mr. Klopfenstein: I move we nominate the current chairman.

Mr. Fricke: I will second that.

Mr. Tapp: There is a motion on the floor to elect Mr. David Fulton as Chairman, once again. Let's do a roll call.

Mr. Tapp: Brian Klopfenstein?

Mr. Klopfenstein: Yes

Mr. Tapp: David Fricke?

Mr. Fricke: Yes

Mr. Tapp: David Fulton

Mr. Fulton: Abstain.

Mr. Tapp: Vernon Reed?

Mr. Reed: Yes.

Mr. Tapp: That is passed, majority.

Mr. Fulton: At this time we will move on with our meeting this evening. We have two cases on the evening.....

Mr. Tapp: Mr. Chairman, we also need to elect a Vice-Chairman.

Mr. Fulton: Our present Vice-Chairman is Mr. Fricke.

Mr. Klopfenstein: Mr. Chairman, I move that we nominate Mr. Fricke as the Vice-Chairman.

Mr. Fulton: Is there a second?

Mr. Klopfenstein: Second.

Mr. Reed: Second.

Mr. Fulton: I guess we elect Mr. Fricke as Vice-Chairman. All those in favor of Mr. Fricke as Vice-Chairman. Signify by saying "Aye".

All: aye.

Mr. Fulton: All those opposed? Motion carried unanimously. At this time we have the minutes the April 26, 2011. You all have received those. Are there any additions or corrections if you have a wonderful memory?

Mr. Reed: I motion to approve the minutes.

Mr. Fulton: A motion has been made to approve the minutes of the April 26th.

Mr. Fricke: I will second it.

Mr. Fulton: There has been a motion and a second. All those in favor signify by saying "aye".

All: aye.

Final Vote	4/0	Approved	April 26, 2011
			BZA Minutes

Mr. Fulton: The minutes of April 26th, 2011 have been approved. Now we will go on to all those who wish to testify this evening. What we do is we will ask each of you to stand and be sworn in, because you are on record this evening. So anyone that plans to speak or even if you think you might speak. It is easy to be sworn in so just stand up and hold up your right hand. Do you solemnly swear to tell the whole truth and nothing but the truth so help me God?

Audience: "I do"

Mr. Fulton: Let the record show that three (3) individuals who will later testify have been appropriately sworn in. We will first talk about case no 12-101 BZA. It is a request for a variance of the code for the minimum distance for a commercial tower. This was an action taken by this Board some, let's see in 1995 or 96 there was a conditional permit issued on this tower, and at the present time the conditional permit is about to expire so they are hear requesting a variance. Matt would you like to add anything to the staff report or your briefing?

Mr. Tapp: Mr. Chairman I would just like to attach the staff report as part of the record for this meeting. If you so desire?

Mr. Fulton: Absolutely.

Mr. Tapp: Summarized the staff report. Staff report 12-101BZA dated March 16, 2012 and part of the case file is hereby made as an attachment to the minutes.

Mr. Fulton: Let me ask one question. Was there anything in the Conditional Use Permit that would affect this request for a variance, in the original Conditional Use Permit of 97'?

Mr. Tapp: We would have to pull the records, which I can if you all want to discuss any additional questions that you have I will search the folder here.

Mr. Fulton: I would just like to verify that there were a lot ofwhen we issued a conditional use permit were conditions and that is the only thing thatWhile you are checking that we will go ahead and move ahead on the other hearing. What we do on each case is we ask for proponents first and anyone that wants to speak in favor of the variance has a chance to stand up address the Board. We would like tell us your name and why you think the variance should be approved. After that we will ask for any opponents and then why this variance should be denied, so that is how we will go about the proceedings. So, Matt do we proceed?

Mr. Tapp: Actually, in our folder we don't have the previous file. So, I can probably do some research really quick and identify it. The only things would be the conditions on it. Which I just actually received a copy of, and I will check, Mr. Chairman, so please go ahead....

Mr. Fulton: So, lets move on with the proponents for this variance for the tower case no 12-101 who would like to speak first as a proponent why the variance should be approved by this Board.

Justin Anderson: Sure, good evening thanks for all your time. My name is Justin Anderson. I am here before you to ask for approval of this variance. As staff has pointed out that this tower was pre-existing the water tower. T-Mobile entered into a lease with the underlying property owner at the time in 1996, our zoning approval is from 1996. I am sorry March of 97. In late 97, I believe it was November the 12th that property was sold to Mr. and Mrs. Dorsel, however the original leaser for T-Mobile kept a lease hold on the tower site. So the tower existed from 1997 to 2005 when the water district was then deeded over a parcel. The original approval there was a conditional use permit and one of the conditions was that T-Mobile and Oldham Investments enter into an easement for 110 feet, which at the time was the required setback two-thirds (2/3) setback for a 165 foot tower. Currently, due to the placement of the water tank our setback is 30 feet. So, having recently approved the new one to one setback T-Mobile is here before you asking for the setback of 140 feet so we will meet the one to one setback and we believe that this variance is applicable in this situation. The tower was pre-existing the water tower. The property owners did not know that there was an existing easement for the setback. So they did not create the instance intentionally. They did it simply to try to help out the public and it was their property. T-Mobile and SSC have done title work on it. We have tracked down all of these transactions, not sure if that was done by the water tower district. I guess being that this site is one of thousands for T-Mobile across the country. The easement that was required for the setback is something that we couldn't have someone camp out at the site nor do I think that it is logical for any property owner that owns non primary property to sit out there and see if someone is encroaching on an existing easement. I am sure that this isn't the first time that this has happened, but I do think that it is a very unique situation. Moreover, we are not asking for any physical changes to the site, simply an administrative change that allows this setback variance.

Mr. Tapp: Mr. Chairman if I may interject. Looking at the conditions from the original CUP in 1997 there does not look to be anything referencing the setback or a fall zone easement if you will.

Mr. Fulton: Is that what that showed there?

Mr. Tapp: Right.

Mr. Fulton: Thank you. Any questions?

Mr. Klopfenstein: Yes. The water tower was built in 2005. Does T-Mobile take any action to inform anybody of the easement or try to protect itself when it was encroached upon?

Justin Anderson: We actually were never informed that a water tower was ever going to be built there. So we are unsure of who we would have ever tried to notify. Like I said the original leaser, which is Oldham Investments still has a lease hold on the property the rest of the property is owned by Mr. and Mrs. Robert Dorsel. I don't believe that they were aware of that specific easement that had been recorded. It is in the easement document that the easement was part of the conditional use permit approval. So, to answer your question, no T-Mobile didn't send out a blanket notification saying don't ever build anything here you might be on our easement. Somewhere to if they have a setback from a residential structure and somebody builds a residential structure next to that. The tower was pre-existing the residential structure and they just encroached on a setback regardless if it were an easement or not.

Mr. Reed: Could you review with me the 12 ½ acre site that the property owner had that deeded to you an easement? Or a simple title to the property?

Justin Anderson: It is only a lease agreement for a 30 by 30 area.

Mr. Reed: It is 30 foot?

Justin Anderson: 30 feet by 30 feet area.

Mr. Reed: So you are leasing the ground from the property owner?

Justin Anderson: We have a lease with Oldham Investments who has a third party agreement with the Dorsel's to withhold a lease interest, if you will. The Dorsels own the rest of the 12 acres, less the water tank parcel.

Mr. Reed: So did they sell that property to the water district?

Justin Anderson: I am not sure about the transaction of how they deeded it to them, but I do know that it was created as a new parcel.

Mr. Reed: So there was a subdivision of the land that created a lot for the water tower but not for your radio tower?

Justin Anderson: Yes, but in reverse. There was a lease area in 1997 or 1996 rather created for the communications tower.

Mr. Reed: So that was a lot split?

Justin Anderson: No, not a lot split just a simple lease....

Mr. Reed: An easement or a simple title?

Justin Anderson: There is an easement for 30 by 30 area if you will.

Mr. Reed: Okay.

Justin Anderson: A legal description.

Mr. Reed: All right, and then the same property owner that leases you that. Did they sell property to the water tower? Or is that also a lease agreement?

Justin Anderson: So there are three parties involved as far as who owns or has financial interest. T-Mobile originally leased from Oldham Investments they took their 30 by 30

leasehold for T-Mobile and maintain rights to that. They sold the rest of their 12 acres to the Dorsels.

Mr. Reed: I see.

Justin Anderson: And then the Dorsels unknowing of a setback easement or anything else it is a rare instance that a tower, a communication tower goes into a place before a water tank. So they not knowing that the easement existed said that this water tank could be placed here.

Mr. Reed: And I presume that the water district sought out that property?

Justin Anderson: They did approach the Dorsels for their property.

Mr. Reed: And they did not do a title search?

Justin Anderson: I can't speak for the water district.

Garth Adcock: That's implied.

Mr. Fulton: If anyone wants to speak they need be on record for that. We will give anyone a chance to add to this.....

Garth Adcock: We are not sure how the water district missed the easement we did a simple two week title search and found the easement in about two hours, so after sifting through about 25 pages.

Mr. Reed: So, your original lease property had a setback requirement from what to the tower?

Justin Anderson: From any property line.

Mr. Reed: So, it was within the 12 ½ acres sufficiently far from all the property owners?

Justin Anderson: That is correct. By a large margin.

Mr. Reed: By a large margin. Okay and so then when the water tower property set aside for the water tower they essentially came to your edge rather, rather than you approaching to their edge?

Justin Anderson: Correct.

Mr. Reed: And so you are just an innocent bystander.

Justin Anderson: It is a lot of property to keep up, and like I said it is a very unique situation. I think that the Dorsels actually didn't really want this water tank or water tower to be at this location. I think that they asked them to approach other locations at the end of day they said this worked best for them given the topography, and them being good citizens they said okay.

Mr. Reed: Sure.

Mr. Fulton: I think this is, Matt didn't the staff report point this out?

Mr. Tapp: Yes.

Mr. Fulton: Other questions? Thank you very much.

Justin Anderson: Thank you for your time.

Mr. Fulton: Thank you very much. And would anyone else like to speak as a proponent for this variance?

Garth Adcock: Good evening. Thank you Matt and Debbie for all your guidance and helping us this variance issue. My name is Garth Adcock and I am the Local Manager for T-Mobile in the Engineers Department, and we appreciate the opportunity to appear before you. This is a very unusual situation. That is I will not rehash everything that Justin said, but sort of recap it. Basically, the original property owner carved out the water tower. I am going out on a limb a little bit but I think the water district failed to order title that is what is implied, and they are obviously not here. But from our perspective T-Mobile did our duty, and our duty was to put the legal description on the

public record and record the legal descriptions and easements, and we did those things. It would seem that the water district could have reached out to the jurisdiction and communicated. Most entities that spend upwards of a million dollars on a water facility would do that kind of diligence, you know, order title and communicate with the jurisdiction. I mean all of us here would do that and that sounds a little blunt, but that is why we are here tonight because they failed to do that. We would appreciate the opportunity to keep the cell site for us the cell site is very important. As you probably know we support thousands and thousands of 911 calls and so we are profit but there is also public safety issues, tornadoes etc., etc. That is part of the FCC requirement on T-Mobile to support emergency calling.

Mr. Fulton: Okay. Is there any questions?

Mr. Reed: In the future would it be prudent for you to protect your setbacks with this recorded? Not just the property you are sitting on? But the setback itself? As an easement?

Garth Adcock: The easement is recorded.

Mr. Reed: The setback. Setbacks are recorded.

Mr. Tapp: Yes, it is a recorded document.

Mr. Reed: An easement there is an implication that nobody is supposed to build in there?

Mr. Tapp: That is stemmed from one of the conditions of the original CUP, and so T-Mobile or APT at the time who was the predecessor at the time had a separate easement document written up and recorded and tied to that piece of property, and like you said the water district should have done more due diligence.

Mr. Fulton: Well we will let Matt work that out with any future easement. We want to focus here just on the variance, the zoning variance that is what we are here for tonight, and that is what we are ruling on. This is not this bodies (*Inaudible*) to make that determination.

Mr. Tapp: Correct.

Mr. Fulton: So is there anymore questions?

Mr. Klopfenstein: I guess my question is when did you become aware that there was this problem? This very existence of the tower has to justify...the water tower justifies the move. So my question is when did you guys become aware of the water tower? And why didn't somebody say hey wait a minute?

Garth Adcock: That is a great fundamental question, and I was not aware of it until just recently. I think when the conditional use permit came up the staff figured this out. We just were never notified. We are always happy to dialogue with jurisdictional authorities and other developers and everybody, but if they don't tell us.

Mr. Tapp: Right. Brian, it ties back to a very legal issue that Greg can clarify that how this all happened. It stems from the public water supply district being a separate political subdivision and being exempt from our local land use regulations. It is a real sticky legal area that Greg will need to clarify.

Mr. Fulton: We are pleased to have Greg Canuteson here. Greg would you like to add anything from a legal stand point?

Greg Canuteson: Not really, I think that Matt probably summarized it. Fact is that they don't come to the county and ask the county how to put up the water tower because they are not required to do that. So it is not as if Matt or T-Mobile had any indication that this was being built. Because it is not like we sat there and watched it being built.

Mr. Klopfenstein: So obviously it is there, and whether I like it or not (*Inaudible*).

Greg Canuteson: And I think (*Inaudible*) a lot of cell towers, you probably were not aware of it until (*Inaudible*).

Mr. Tapp: Right. Until staff notified them that the renewal was up, and then it was all a problem then.

Garth Adcock: Well we have fuel technicians you know folks in trucks and vans that drive around, but they are not well versed in the law and things that all of us go over, certainly they knew but they didn't speak to it.

Mr. Fulton: Regardless of how it happened right now we've got a situation we want to....

Mr. Fricke: ...that is not Board of Variance...

Mr. Fulton: Exactly, we are going to move to rectify to the best, if we determine that is justified that is our job. Thank you very much. Is there anyone else that would like to speak as a proponent or clarify anything?

Robert Dorsel: I wasn't sworn in.

Mr. Fulton: I will swear you in. Do you solemnly swear to tell the truth the whole truth and nothing but the truth so help me God?

Robert Dorsel: Yes I do.

Mr. Fulton: Let the record show that this gentleman was added to those men sworn in.

Robert Dorsel: My name is Robert Dorsel and we are the property owners of the 12 ½ acres that you guys are speaking of. We are a proponent of the cell tower. We don't have any problem with that. To fill in some of the blanks that you guys are asking about as questions. The water district approached my wife and I in 04' or 03' and said we need a spot with elevation for the water tower to give it the utmost most pressure. We said we really don't like we have one tower to look at another one, you know one way or another. So they said due to the topography it needs to be there. There is no other spots that serve the purpose. So they came to us and said that they would purchase, and that your question, it was a purchase. It is deeded. The water district I know from dealing with the sale of the property they used the law firm of (*Sounds like---*Heavner, Jarad, Kimbal) and then they used an engineering firm of Larkin and Associates, both are very well respected. So there for the entire building, I think there probably was, Matt mentioned that there is a deal, gray area there, a public water district and a county or a public city there is some gray area there as far as what they need to do and get permits. So basically what that means is the tower was built, like your question Brian you said, you know the tower just didn't appear. No it took a year to go, so they didn't take just go out there and take it out of the box and stand it up there. And then everyone says whoa there is a water tower there next to a cell tower. So that is how that came to pass, but the tower site was purchased by the public supply water district, there was an engineering firm involved, there was legal counsel involved, and what we have now is a water tower next to a cell tower that was existing.

Mr. Fulton: Thank you for that information. Is there anyone else that would like to speak as a proponent? If not we will move on. Is there anyone here tonight that would like to speak in opposition? Hearing none we will close the public hearing, but reserve the right to call anyone if we have initial questions. Now before we discuss it I would like a motion, the Chairman would entertain a motion on this request for a variance, and then we will have discussion?

Mr. Reed: I move that we approve the request for the variance in accordance with the description that is presented here in the staff report.

Mr. Fulton: Thank you, Vernon. Is there a second?

Mr. Fricke: I will second it.

Mr. Fulton: Motion has been dully made and seconded. We approve the request for variance. All those in favor signify by raising your right hand. Let the record show that request passed unanimously. We need to add to this the justifiable reasons. Mr. Fricke would you like?

Mr. Fricke: Could I add to this, and I am sorry about that my daughter in Austin, Texas also votes for this {*Mr. Fricke's mobile phone rang*}

Mr. Tapp: T-Mobile?

Mr. Fricke: Every so often I think we look at a situation that is certainly unique and out of the ordinary and I will put this under that column. If we need to develop some history I will be glad to do so. I think that it is certainly unique property. I think the variance will not contrary to public interest. I think that it will constitute a definite hardship if we acted (*Inaudible*) account. And it will not adversely affect public health, safety or general welfare. I would strongly urge that we go ahead and approve the request as submitted.

Mr. Fulton: Does anyone else have any comments that they would like to make? Okay with that the variance has been approved unanimously. With these comments added and we will move on. Thank you gentlemen for coming, you are welcome to stay. Thank you very much and the added information.

Final Vote	4/0/0	Approved	12-101 BZA Set back variance for T-Mobile 6717 Nebo Hills Road
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Mr. Fulton: The second request is case no 12-102BZA. It is a request for variance to Section 151-4.5C of the Clay County Land Development Code, pertaining to the minimum front setback and Section 151-6.3B pertaining to the placement of an accessory building in a Residential District where such placement will be in non-compliance of the County code of requirements. The applicants are Ken and Karen Minnick. Staff, Matt would you like to....

Mr. Tapp: Again, Mr. Chairman I would like to attach the staff report as part of the record for the hearing. Mr. Chairman, if you approve?

Mr. Fulton: Absolutely.

Mr. Tapp: Summarized the staff report. Staff report 12-102BZA dated March 16, 2012 and part of the case file is hereby made as an attachment to the minutes.

Mr. Fricke: So it is just one?

Mr. Tapp: Yes, since it is just a 40' front variance it would apply to both existing building 2 and 3.

Mr. Fulton: Thank you, Matt. Now we will hear from the proponents.

Ken Minnick: Ken Minnick, I am the one that is just asking for the variance. The building were there when I moved there and had been there since probably since it was a dirt road through there, probably been in there since the 40's. The road actually curves in an odd way around the property which cuts into my property. Which I thought I had 40 acres, but apparently I don't have 40 acres because part of my property is across the road too. So, I don't know how it got that way. Other than maybe they just went around that

tree or something at that time. But I have talked to my neighbors and everybody that I have talked to don't have any problems. It has been that way for long enough that everyone is used to it. So that is all I know, anyway. I bought it in, I think 94'.

Mr. Fulton: Questions? I have only one question.

Ken Minnick: Sure.

Mr. Fulton: Basically, I am inquisitive. Building E-3 it did not show up, it wasn't there in 1996'?

Ken Minnick: No, I had put metal on that part of it and I used it as storage for tractors and stuff there, and I just put that part in. I didn't know there was a problem because that other building was there.

Mr. Fulton: No, the other building was there at the second one, later on.

Ken Minnick: Yeah. That was one that (*Inaudible*)

Mr. Fulton: Okay. Pretty clear cut.

Mr. Reed: You say you are subdividing the property?

Ken Minnick: Yes, I wanted to break off 10 acres of that part so I could build on adjacent part for myself.

Mr. Reed: You are going to sell part of it, and keep part of it.

Ken Minnick: I wasn't planning on it selling it, just wanted break it off.

Mr. Reed: Why are you subdividing?

Ken Minnick: So I can build a house on it for myself and my wife.

Mr. Reed: You can't do that without subdividing?

Ken Minnick: I didn't know you could.

Mr. Tapp: Vernon, there is one existing house on the total parcel, so Mr. Minnick wanted to build another new house, but in order to do that you have to separate it into two lots, because we are a single-family zoning county. So, each lot can only have one single family house. There is already an existing house, in other words, and one lot would cover that, then Lot 2 would be rest and he would build a new house on Lot 2.

Mr. Reed: Aren't there exceptions to having a single house on the property?

Mr. Tapp: No, there are accessory dwelling units or otherwise known as mother in-law suites or mother in-law quarters. But that is not what Mr. Minnick intentions that would be typically for a mother in-law or family member that has medical issues and need to be somewhat close to the house but still be kind of separated on their own. But, no he wishes to keep this lot, and rent out this existing house and then build on Lot 2.

Mr. Reed: Lot 2 wraps around?

Mr. Tapp: Yes. If you look at Attachment C the site plan it kind of gives you a super imposed black line through there that shows you where Lot 2 is more of an L-shaped lot. Then Lot 1 includes the pond and the existing house.

Mr. Fulton: Okay, good question. Other clarification needed? Thank you, Mr. Minnick.

Ken Minnick: Thank you.

Mr. Fulton: We reserve the right to call you back up for questioning. Is there anyone else that would like to speak as a proponent? Anyone here like to as an opponent, opposition to it? Did you receive any or has there been any written opposition to this request? Everyone was notified within a thousand feet?

Mr. Tapp: I don't believe we received any phone calls, did we Debbie?

Ms. Viviano: No.

Mr. Fulton: Okay. Thank you very much. We will have some discussion on this.

Mr. Reed: I have one question of staff. The subdivision does not trigger this or does it?

Mr. Tapp: Well, you have to get the variance first. You don't want to put the chicken before the egg or the cart before the horse.

Mr. Reed: The variance would have been necessary...

Mr. Tapp: Yes, but for the variance then he couldn't get the subdivision or the rezoning. So see he had to do this first in anticipation of the rezoning and platting, subdivision.

Mr. Reed: Okay, thank you.

Mr. Fulton: Any questions? With that would someone entertain a motion?

Mr. Fricke: Mr. Chairman, I really need to do this. I think again in case number 12-102 that we do have conditions that I would like develop the history on it now. I think the situation is the property is unique as described by Mr. Minnick. And I don't that see that it is contrary to public interest, or adversely affect the rights, that road did bother me a little bit but when he explained what happened there is not much we can do about it. I think that it would constitute a hardship in what he wants to do with the land that he does own, and that it does not adversely affect public health or welfare with these conditions. So I would move that we approve case number 12-102 as applied for.

Mr. Fulton: Is there a second?

Mr. Klopfenstein: I'll second it.

Mr. Fulton: With that is there any further discussion?

Mr. Tapp: Mr. Chairman, I want to make be clear. Did you open the floor for any possible opposition?

Mr. Fulton: Yes.

Mr. Tapp: Just making sure.

Mr. Fulton: Yes. There were only three people called. Is there any further discussion? Call the roll call?

Mr. Tapp: Brian Klopfenstein?

Mr. Klopfenstein: Yes

Mr. Tapp: David Fricke?

Mr. Fricke: Yes

Mr. Tapp: David Fulton

Mr. Fulton: Yes.

Mr. Tapp: Vernon Reed?

Mr. Reed: Yes.

Mr. Fulton: With this you can move forward with the next step.

Ken Minnick: Thank you. I appreciate that. Thank you, Matt and Debbie. Do you need me for anything else?

Mr. Tapp: Just give us a call later on and we will chat.

Ken Minnick: I will.

Final Vote

4/0/0 Approved

**12-102 BZA Set back variance
for Ken & Karen Minnick
8825 NE 198th Street**

Mr. Fulton: Is there anything any other action be in forthcoming?

Mr. Tapp: Just to remind the members that the personal financial disclosure or PFD is due, and I would highly recommend getting it done. I think May 1st is the deadline. Just get it done. Don't be too detailed about it. If you have no interest with the county just write no interest and send it on in.

Mr. Fricke: You can do it by e-mail. Very easy.

Mr. Tapp: Yes. You can do it electronically.

Mr. Fulton: Is there any other action coming? Have you discussed any other variances?

Mr. Tapp: No. Not at this time.

Mr. Fulton: Anybody else have any action in front of the Board? Is there a motion to adjourn?

Mr. Fricke: Adjourn

Mr. Fulton: Is there a second?

Mr. Klopfenstein: Second.

Mr. Fulton: All those in favor signify by saying "aye".

All: aye.

Meeting Adjourned

Chairman, Board of Zoning Adjustment

Secretary, Board of Zoning Adjustment

Recording Secretary